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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/714,586-Conf. #1671
		Filing Date	November 14, 2003
		First Named Inventor	Timothy J. Patrick
		Art Unit	3762
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	64	Attorney Docket Number	106320-48 (formerly 101360-63)

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	PTO/SB/08 with cited references thereon; A copy of the International Search Report; A copy of each foreign patents cited (4); return receipt postcard.
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
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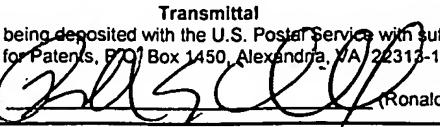
### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	NUTTER MCCLENNEN & FISH LLP		
Signature			
Printed name	Ronald E. Cahill		
Date	June 27, 2005	Reg. No.	38,403

#### Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 27, 2005

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(Ronald E. Cahill)



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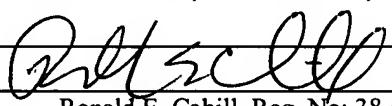
Applicant:	Timothy J. Patrick et al.
Application No:	10/714,586 - 1671
Filing Date:	November 14, 2003
Entitled:	Drug Eluting Brachytherapy Methods And Apparatus
Atty. Docket No:	106320-48 (formerly 101360-63)

Group Art Unit: 3762

Examiner: Not Yet Assigned

Certificate of Mailing (37 C.F.R. 1.8(a))

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6/27/05	By: 
Date of Signature and Mail Deposit	Ronald E. Cahill, Reg. No: 38,403 Attorney for Applicant

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicant has become aware of the following publications and information, cited in an International Search Report issued April 12, 2005 during the prosecution of PCT/US04/037560 which corresponds to the above referenced application. A copy of the International Search Report is enclosed.

Applicant has not submitted copies of each cited U.S. patent as required by 37 C.F.R. 1.98 (a)(2)(i) since the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign patents in accordance with 37 CFR §1.98(a)(2).

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation

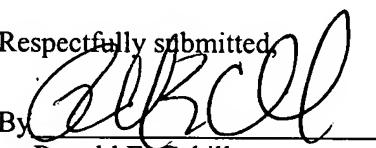
that such publication is prior art. Moreover, the Applicants understand the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(b), this Supplemental Information Disclosure Statement is being filed prior to the mailing date of a first Office Action on the merits. Accordingly, no fee is believed to be due in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is due, the Commissioner is hereby authorized to charge payment of any such fees to our Deposit Order Account No. 141449.

Dated: June 27, 2005

Respectfully submitted,

By

  
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Substitute for form 1449A/B/PTO

**Complete If Known**

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	106320-48 (formerly 101360-63)

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA	6,645,135 B1		11/11/2003	Bhat	
AB	6,001,054		12/14/1999	Regulla et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
AC	DE 198 19 426 A 1		11/11/1999	Dr.med. Christoph Hehrlein		
AD	EP 0 970 724 A2		01/12/2000	Proxima Therapeutics, Inc.		
AE	WO 02/089899 A1		11/14/2002	Xoft Microtube, Inc.		
AF	WO 04/049918 A2		06/17/2004	Scimed Life Systems		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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Examiner Signature	Date Considered
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